

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:06CV82-MU-01

WALI FARAD MUHAMMAD BILAL,)
)
 Petitioner,)
)
 v.)
)
 SIDNEY HARKLEROAD, Supt.,)
)
 Respondent.)
 _____)

O R D E R

THIS MATTER is before the Court on remand from the United States Court of Appeals for the Fourth Circuit.

On February 23, 2006, Petitioner filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 with this Court. On March 27, 2006, after conducting an initial review of Petitioner's petition, this Court dismissed the petition without first issuing a Hill notice. Petitioner then appealed his case to the United States Court of Appeals for the Fourth Circuit arguing that he was not given sufficient notice and an opportunity to be heard prior to the dismissal as required by Hill v. Braxton, 277 F.3d 701 (4th Cir. 2002). The Fourth Circuit agreed and vacated this Court's March 27, 2006, Order and remanded his case back to this Court.

Accordingly, this Court now shall give the Petitioner 15 days

in which to file a document explaining why his federal habeas petition should be deemed timely filed. In particular, Petitioner should advise the Court of those matters which he believes could affect a determination of the timeliness of his federal habeas petition.

NOW, THEREFORE, IT IS HEREBY ORDERED that within fifteen (15) days of the date of this Order, Petitioner shall file a document, explaining why he believes his federal habeas petition should be deemed timely filed.

Signed: August 13, 2008

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

